IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5564 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

1 to 5 No

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

L N PURANI

Appearance:

MR HARDIK C RAWAL for Petitioner

MR BA VAISHNAV for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 19/10/2000

ORAL JUDGEMENT

1. Heard the learned counsel appearing on both sides. There is a consensus that the original workman in whose favour the impugned award is made has passed away on 27.12.1999. It is, therefore, submitted that there is

no question of reinstatement. It is further submitted on behalf of the respondent, who is joined as the widow and legal heir of the workman, that the total amount due under the award comes to Rs.1,68,887. It is further submitted that the respondent would be satisfied to receive Rs.1,00,000 towards full and final settlement of the claim arising out of the impugned award if such amount is paid within the stipulated time along with the other terminal benefits due to the respondent. It is also submitted that this offer is made without prejudice to the rights and contentions of the parties. The learned counsel for the petitioner submitted that if such order were to be made, the amount may be made payable within two months from today. Accordingly, the petition is partly allowed and the impugned order is, by consent, modified to the extent that the respondent shall be paid an amount of Rs.1,00,000 (rupees one lakh) over and above the terminal benefits due to the workman as if the workman had been reinstated and had been on duty on 27.12.1999. Such amount of dues and terminal benefits shall be calculated and paid to the respondent along with the aforesaid amount of Rs.1,00,000 on or before 25.12.2000. It is stated at the Bar that the respondent herein is the only heir of the deceased workman according to the information of the learned counsel. Accordingly, Rule is made absolute with no order as to costs.

Sd/-

(D.H.Waghela, J.)

KMG Thilake

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